

District IV Citizen Review Panel
707 N. Armstrong Pl, Boise, ID 83704
Tuesday, August 4th, 2020
4:00 pm – 6:00 pm

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Meeting Minutes

At 4:01 pm, Brian McCauley called the meeting to order.

Members in attendance:

Brian McCauley, Darcie Bobrowski, Nicole Noltensmeyer, Shannon Pearson, Kym Nilsen, Melissa Mezo.

Staff: Laura Smith and Courtney Boyce (CDH), Misty Myatt (IDHW)

Visitor: Darci Anderson, CASA, Family Advocates

CRP members reviewed the meeting minutes from July 2020. Melissa Mezo and Kym Nilsen amended the minutes as written.

Motion: Melissa motioned to approve the meeting minutes, with amendments. Darcie seconded. All in favor, none opposed, motion passed.

Meeting minutes have been approved from July 2020 CRP meeting.

There was discussion of needing a motion to approve June's meeting minutes, due to the previous census being too low.

Motion: Kym motioned to approve the June CRP meeting minutes. Shannon seconded. All in favor, none opposed, motion passed.

Meeting minutes have been approved from June 2020 CRP meeting.

Motion: Shannon motioned to approve the August CRP agenda. Kym seconded.

All in favor, none opposed, motion carries.

The August 4th District IV CRP meeting agenda approved.

CRP Membership Vacancy Updates

Courtney discussed she submitted a draft of a flyer that would be dispersed to community partners and available on the CRP website. The flyer presents what the CRP is and that they were taking applications for a new volunteer member, with the link to complete an application online. Courtney shared that the link was through Google Forms, and that the questions had been agreed upon from the Executive Committee and used similar questions from the previous vacancy. Courtney shared that the draft was approved, finalized and distributed as of the previous Friday. At the time of this meeting, two applications have been received. There was discussion around the term of the new member, as their term would technically end Jan 2021, at the same time as Shannon, Kym, and Melissa. All members' terms that are not a part of the Executive Committee end Jan 2021. There was discussion if current panel members are able to continue to be a part of the panel, and as of right now there is nothing in the bylaws that indicates current panel members are not able to continue membership, if voted in under a new term. Brian asked Shannon, Kym and Melissa to consider their relationship with the panel, and to inform the Executive Committee of any concerns regarding their membership, if they did not want to continue. Brian expressed that the dynamic of the panel is strong, and the benefit of the expertise in the current panel members. Brian encouraged panel members to discuss their goals for ongoing participation in the panel and goals for membership with him, Darcie and Nicole. There was additional discussion that bylaws could indicate altered terms if needed, to accommodate the panel.

Idaho Statewide CRP Coordinator Call Update

Brian discussed that Courtney facilitated the last meeting, and that this meeting was pivotal in terms of changing hands and making motions that created a new framework for future meetings. Brian shared that he assisted with developing some proposals in the meeting, that allowed the meetings to shift in facilitation and responsibility to different regional CRPs. Brian shared that they reviewed the response from the Department and went through each of the district's Citizen Review Panel representation and leadership to hear about their thoughts and experiences. Brian summarized that there was a feeling of frustration in the lack of communication and participation, and feeling disengaged from the processes of the Department and Legislative Oversight Committee. Brian discussed in the meetings the difficulties of vague recommendations and that the CRPs were presenting problems but not identifying specific solutions or strategies. Brian stated that this discussion led to a motion that would include extending the invitation to the Chair and Co-chair of the Legislative Oversight Committee to all statewide meetings, and to provide a synopsis of the process to boost engagement and participation. Brian also indicated that the conversation also focused on trauma-informed care and learning about collaborative case models. Brian said that the CRPs were in agreement regarding a ranking system of evaluating the needs of children to be based on ACE scores or another similar method to standardize the workload and estimated case load for workers.

District IV CRP Response to IDHW Report

Prior to this portion of the meeting, Darci Anderson was invited to speak to the panel and share her experience and role at Family Advocates. Darci was an invited guest to the District IV Citizen Review Panel meetings, as an appreciated partner in the work needed to improve the child welfare system in Idaho.

On page 1 of this report, the Department identified that going forward the Department would like to propose submitting this report at the beginning of each legislative session, including the recommendations from the previous federal fiscal year. In order to receive timely responses back from the Department, instead of waiting a full year. It was suggested that the CRPs recommend that in preparation for the legislative session the Department propose a definitive date for the submission of the response of the report.

Motion: Kym motioned to approve the District IV recommendation that in preparation for the legislative session, the Department propose a definitive date for the submission of their response report back to the CRPs.

Melissa seconded. None opposed, the motion carries.

Brian discussed after this motion that it might be in the best interest of the panel's recommendations and the Department to suggest a date(s) for them, given the CRP's reporting schedule and the department's reporting schedule. The CRPs provide reports that are not available for public disclosure on the fifteenth of the month following the end of the public health department's fiscal year quarter.

It was shared that the IDHW completes and submits their reports on September 30th, December 30th, March 30th, and June 30th.

The District IV CRP completes their reports on:

October 15th, to include activities in July, August, and September.

January 15th to include activities in October, November, and December.

April 15th to cover activities in January, February, and March.

July 15th to cover activities in April, May and June.

The regular session of the Idaho Legislature is between January to mid-March, although it may be extended beyond that.

The deadlines of the District IV Citizen Review Panel and Idaho Department of Health and Welfare reports differ. The submission times between these agencies is considered and compared to the regular Legislative session.

Therefore, it may be appropriate to propose December 30th as the date for the Idaho Department of Health and Welfare to submit their Response Report to the CRPs and Child Protection Legislative Oversight Committee. This deadline would include recommendations from quarterly activities occurring in July the previous year, to September of the current year (ex. July 1st, 2019 – September 2020).

This will allow for timely responses back from the Department, including recommendations with a deadline of December 30th.

Further motions regarding this proposed date should reference legislative mandate of the Citizen Review Panels and the Departments requirement to respond back to the reports of the CRPs.

For reference, Idaho Code 16-1647, section 8 reads as follows:

"The department shall submit an annual written response to citizen review panel reports. This response shall be made available to the public and presented to the child protection legislative review panel established in subsection (9) of this section."

In the IDHW Report, it was also discussed that the Department conducted an extensive data analysis to identify several themes around safety practices. The method of this analysis included including data collection from stakeholders, including community partners. A recommendation included that in the future, the District IV Citizen Review Panel would like to be considered a community partner and stakeholder, in terms of data collection to contribute to this analysis. Per the recommendations from the CRP and a continuation of the response report back to the Department, it is requested that electronic copies of all investigative reports, including raw data pertaining to case reviews, internal analysis of policies and procedures, etc. be submitted to the Chair and Public Health District liaison of each Citizen Review Panel.

Brian discussed meeting with Senator Lee, and need Legislative Oversight Committee to be involved in the process of determining the recommendation.

Darci from Family Advocates stated the reports they submit in October are used for programmatic analysis and include information including how many children they served.

Case Review Updates

Brian shifted the conversation to case reviews. Brian asked Misty if it was possible to provide the CRPs the case review reports, minus the foster parent information where they are waiting to get consent, in order to have all of the case review information in one broad data analysis. Misty indicated that at this time she is collecting the information for cases manually, and when the ability of the technology has been updated, she will provide an update to the panel. Misty stated that this time the technology does not provide the level of detail that Brian is requesting on a broad level of analysis. Misty will provide feedback about the timeline of when that data collection table will be completed. Brian discussed the benefits of being able to have conversations with the foster care parents.

Kym referenced the July meeting minutes, regarding the desire for case reviews to be outside of Ada County. Kym is the District IV's representative from the rural areas with a specific perspective of rural needs and concerns. Kym shared that most of what she has done is related to Ada County and that she wants to know the successes, failures, and concerns in the community/population that she is representing. Kym inquired if there is a way of being able to request cases that come of rural regions, specifically Valley County, given that this is her community. Misty shared that for the case reviews in August, there are no cases longer than 120 days. Brian discussed that we can aim to target case reviews in rural areas to be analyzed by Kym, in terms of case assignments. Misty shared that the list is being generated on a monthly basis, so that panel members are not re-reviewing previously assigned cases. Melissa shared that in her time on the panel, she has previously reviewed Elmore and Boise County cases. Darci as the Vice Chair will work with Misty and Courtney to assign Kym rural cases when they are available, and continuing representation of rural areas.

Misty shared in Kym's reflections but stating that she is aware there is a systemic issue in how Valley County responds to child welfare/protection cases. Misty shared that historically it has been a struggle working with court partners, the prosecuting attorney and judge when filing endorsements, and how it has been difficult to engage with law enforcement partners. Misty mentioned that the community does remarkable work by providing informal foster care and support systems, while school and school professionals to be able to provide support those families at need. Misty shared that some safety referrals are not being enforced the way that the Department would like it to be managed, and that they would like more support from law enforcement. Misty discussed that they have engaged Ada County partners when the Department has not received the support from Valley County. It does not happen often as she referenced a handful of times in Valley County, but under state law, if a child is found within county limits within any period of time, the safety referrals can be addressed within the county they are in even if it is not the county they reside in. Misty shared that it has been a creative approach that is utilized only when needing to be done, and provided the example that if a child needs to come down for a CARES interview, when the child is in Ada County they are able to begin procedures, even if they reside in Valley County.

Darci Anderson shared that the Department had better representation when there was an assigned social worker there and a satellite office in Valley County. Darci shared that there was a social worker was in Garden Valley, and lived close enough to be able for earlier intervention. One of the concerns with Darci is people will say that they called in a referral and 'nothing happened.' She said that people tend to be discouraged about the response, in the last year there has not been another case in Boise or Valley County that they have assisted with. Darci shared that there are six GALs that live in Garden Valley, with four of them having been trained and never been assigned a case.

Group Home Information

Nicole Noltensmeyer addressed concerns regarding licensing for residential treatment facilities from IDAPA as found here: <https://adminrules.idaho.gov/rules/2000/16/0602.pdf>. This was put into the context of the Patriot House, however the discussions and recommendations within this conversation may be universally applied to all group homes and residential treatment facilities.

“Juvenile detention shall not be used as holding facility for abused, neglected and dependent children or for offenders as provided above.” Section ii, revised 11-22-1991.

Nicole shared concerns that this was the case for children in foster care that were difficult to place. Nicole discussed that in another section regarding the definition of professional staff, that sufficient child care workers needed to meet the acceptable standards of practices and services. Nicole said that she would like to see ‘sufficient child care workers’ defined. She stated that there are definitions in Section IV, but not for other staff. Nicole also discussed having adequate social services, in ‘Other Staff,’ section. Nicole discussed the need to standardize the definition of what ‘adequate social services’ means. Nicole addressed the area of the document that stated, if the facility is on the grounds of any type of corrections facility, it shall be a separate self-contained unit, per the IDAPA Facility Requirements. Nicole was concerned that the children placed there for behavioral issues in foster care that do not eat, recreate, and shower separately from the other children placed there. Misty discussed that in her understanding there is no crossover between children admitted as a foster child, with different facilities.

Nicole discussed the terminology of the washstand used in the document, and this was a reflection of how outdated this policy is. Nicole also shared that the IDAPA requirements indicate having sufficient indoor/outdoor space to allow children to participate in a wide range of physical and individual activities. For treatment facilities, needs to be 200 square feet per children. Nicole did not believe this was being enforced at the Patriot House. Nicole referenced the portion of the document that stated open humiliation before a minor’s peer group shall not be permitted, and referenced the others that have shared their experience in the Patriot House where the treatment they experienced, could be categorized under public humiliation.

There was a question about COVID-19 restrictions of visitors, and making sure that the children placed there had adequate representation and ability to visit. Shannon stated that she was not sure if CASA counted under IDAPA, but if IDAPA states that they shall not be deprived of parental and/or attorney visits, this could be cause for a conversation either way.

It was asked if there are there concerns with other residential treatment facilities, and Darci from Family Advocates said yes. There are concerns out-of-state that are equally concerning. It is difficult when children under the age of twelve are put in a residential treatment facility, as there may be a plan but it requires trying to figure out how they are really doing and who their other advocates are. Darci discussed hearing most often about Hays House and Patriot Center, as they are local. Darci reflected that across the board – concerns of social interaction and conditions for children admitted to residential treatment facility. Darcie discussed that guardian ad litem from Idaho foster children that are placed out-of-state treatment programs can be kept with a local representative, or it can be asked of CASA program from the state that child is placed in. Even when placed out of state, they tend to go above and beyond.

Misty discussed that she does not have means or authority to make significant changes regarding some of the policies and procedures that were discussed in this meeting, but wanted the CRP members to know that children who are placed in residential programs or group homes are being staffed monthly and those treatment providers at those facilities are engaged in those conversations. Misty shared that every attempt is documented so they can transition out of that facility.

Nicole shared that she would create of list of concerns reflecting what is in IDAPA, and would like to know the Department’s interpretation. It may be appropriate to have the representative from the IDHW

that assists with group homes be invited to the meeting to speak about group homes. This was not consented upon by the panel for next month's meeting, but at a later date.

Nicole shared her concerns that there are no formal policies regarding conditions or factors that the Department follows in order to determine when a child is placed into a group home. Nicole discussed that the staff and the facilities do not provide a measure of comfort in their care, as they are not able to have personal items. Nicole shared her concerns about the routine of the education they are receiving while staying there. Nicole also shared concerns about the degree of separation for children in foster care that are placed in the Patriot Center, in comparison to the general population of the juvenile detention center. Nicole shared that there is no outdoor yard for recreation, and they have to have staff supervision to be walked across the street to go to a park. Nicole also discussed concerns regarding the hygienic conditions of the facility.

Darci from Family Advocates stated that she would duplicate most of the conditions that Nicole discussed as they don't get "better" but it is a difficult place to visit especially during COVID-19. They are not accepting visitors, and can only call residents but not all calls go through. That face-to-face contact diminished in the last four months. A lot of guardians are concerned about the children placed there in the last four months.

Misty was asked to share her concerns. Misty shared that the facilities do have a treatment modality, but she is not sure if for all children or just the children that are placed there in foster care. Misty shared concerns that were shared with Nicole from a third-party, about inappropriate discipline practices as that is not in alignment with licensing. Misty shared that the children that we have placed there right now they struggled to find placements, and at least one case has been there two years at most. Misty said that they hold video visits with children placed there, but there is concerns about social engagement. The Patriot Center determines the guidelines for visitation. Misty stated that regarding restricting access to case workers and guardian ad litem for children in foster care placed in a group home, these individuals have a legal right to have access to that child but due to no fault of their own they are in lock-down because of COVID-19. Misty shared that these concerns have been identified by the Department as they do not want to limit or restrict the legal rights of children, and that the Department has been having conversations with residential treatment facilities about restricting visitors especially as it pertains to upholding the welfare of children. Misty shared that there are several different group homes that serve children in the foster care system based on the need of that child, such as those that are a threat to themselves or others, substance use etc. Misty shared that the kiddos we currently have in the Patriot Center are waiting to qualify to move into a group home, meaning a specialized certified family home. The children in question that Misty is referring to, will never return to a home-like setting as they require higher, specialized care.

Action Item: Nicole will put together formal write up identifying the gaps in IDAPA as it is currently written, and provide recommendations.

Moving Forward: Goals and Objectives

Brian discussed the history and strengths of the District IV CRP. Brian shared that the CRP is building partnerships in the community. Brian shared that they are informing themselves on Trauma-Informed Care, and evaluating and tailoring their recommendations to the Department. Brian shared that he is looking forward to discussions in the future with group homes. Brian shared that the cases need to be reviewed and it continues to provide the panel with first-hand awareness of what is happening in the community. Brian shared that this CRP has helped develop a statewide structure for the CRP leadership conference calls, and hopes to continue to create a sustainable statewide structure for the CRPs.

There was a discussion regarding domestic violence and a rapid response is needed to increasing cases by providing resources to families. It was shared that a lot of home visitations are working through telehealth so they might be in the same room as abuser. Laura Smith shared that she is participating in

a workgroup assisted by St. Luke's and Lyle Nelson, regarding these issues, and could act as a liaison however, she would like to invite panel members to participate. If panel members would like to participate and/or sit in on the discussions of the workgroup, they are encouraged to e-mail Courtney or Laura.

Brian McCauley adjourned the District IV Citizen Review Panel meeting at 6:03pm.

Meeting minutes prepared by Courtney Boyce.